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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Edward A. Marue and Kenneth J. Pereira

Serial No:

Filed:

Title: TELESCOPING MAST WITH
INTEGRAL PAYLOAD

*Terminal
Disclaimer (9ppa)
9/27/00
H/M*

Date: June 19, 2000



TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

Applicant, The Will-Burt Company, an Ohio corporation, having an address of 169 S. Main Street, Box 900, Orrville, Ohio 44667-0900, is the owner of the entire right, title and interest in the instant application. Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term

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§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior reissue application Serial No. 09/283,843. Applicant hereby agrees

that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154 to 156 and 173 of the reissue application Serial No. 09/283,843, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The fee of \$55.00 is enclosed.

DRUMMOND & DUCKWORTH

Date: June 16, 2000

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